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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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12 JAMES HAROLD RICHARDSON,

13 Petitioner,

14 v.

15 JOHN McMAHANN,

16 Respondent.
17

Case No. LA CV 15-3228 JAK (JCG)

18 **ORDER ACCEPTING REPORT AND**
19 **RECOMMENDATION OF UNITED**
20 **STATES MAGISTRATE JUDGE AND**
21 **DENYING CERTIFICATE OF**
22 **APPEALABILITY**

23 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the Magistrate
24 Judge's Report and Recommendation, Petitioner's Objections to the Report and
25 Recommendation, and the remaining record, and has made a *de novo* determination.

26 Petitioner objects in conclusory fashion, but does not meaningfully challenge the
27 Magistrate Judge's conclusion that the Petition is untimely.
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Accordingly, IT IS ORDERED THAT:

1. The Report and Recommendation is approved and accepted;
2. Judgment is entered denying the Petition and dismissing this action with prejudice¹; and
3. The Clerk serve copies of this Order on the parties.

Additionally, for the reasons set forth above and in the Report and Recommendation, the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate of appealability.



DATED: 7/2/15

HON. JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE

¹ Accordingly, Petitioner's request for leave to amend the Petition, [Dkt. No. 6 at 2-3], is **DENIED AS MOOT.**